

STATE OF NEW YORK
SUPREME COURT

COUNTY OF ESSEX

LEWIS FAMILY FARM, INC.,

Plaintiff,

- vs -

NEW YORK STATE ADIRONDACK PARK AGENCY,

Defendant.

**AFFIDAVIT OF KLAUS
MARTENS**

Index No. 000498-07

STATE OF NEW YORK)
) ss.:
COUNTY OF ONTARIO)

Klaus Martens, being duly sworn, deposes and says:

1. I operate a 1,400 acre organic farm in Penn Yan, New York, and have done so for the last fourteen years. I currently reside at 1443 Ridge Road, Penn Yan, New York 14527.

2. In addition to my work as an organic farmer, I also work as a professional consultant to organic farmers across the country, and have done so for the last ten years.

3. As part of my work as an organic farmer and professional consultant, I have had the opportunity to meet Sandy and Barbara Lewis, and familiarize myself with their farm, the Lewis Family Farm, Inc. ("Lewis Farm").

4. I have visited and toured the Lewis Farm on several occasions and am well aware of its business and agricultural practices.

5. The Lewis Farm is the most modern and innovative organic farm in New York State, and is a national leader in organic farming.

6. Due to the complexities of organic farming, any successful organic farm requires skilled professional employees that produce crops and animal products that will meet strict organic standards.

7. Such employees need to be housed onsite so that they can properly monitor and survey the farm and provide around-the-clock surveillance. Due to their high levels of education and training, such employees require proper onsite housing.

8. The Lewis Farm faces these same demands and pressures, and has undertaken an ambitious plan to renovate its onsite housing by tearing down all of the old housing and replacing it with new housing.

9. The new employee housing on the Lewis Farm is essential and vital for the continued success of the Lewis Farm because without, it is unlikely that the Lewis Farm will be able to recruit and retain employees with the requisite level of education and training needed to maintain the high standards to which the Lewis Farm aspires.

10. The Lewis Farm's need for highly educated and well trained employees is even more acute than that of other organic farms because the Lewis Farm, due to the resources that the Lewises have dedicated to it, is on the leading edge of agricultural practices and technology.

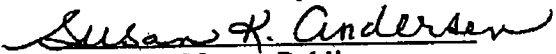
11. I and other organic farmers have benefited by having the Lewis Farm in New York State because it serves the valuable role of showing other organic farms how to properly implement and use new technology and practices.

12. In addition, some of the modern agricultural practices implemented by the Lewis Farm have been adopted by other organic farms in the Adirondack State Park, thus lessening the use of harmful chemicals in the Park and improving water quality.

13. Without the completion of its onsite employee housing, the Lewis Farm will not likely continue to succeed as it previously has.


Klaus Martens

Sworn to before me this
6 day of Aug, 2007


Notary Public

SUSAN K. ANDERSEN
Notary Public, State of New York
Yates County, No. 01AN4982156
Commission Expires May 23, 20 11

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